

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

STATE FARM LIFE INSURANCE COMPANY,	)	Case No.: 09-CV-00396-LHK
Plaintiff,	)	FINAL PRETRIAL CONFERENCE ORDER
v.	)	
JASON CAI and THE ESTATE OF YING DENG, Deceased,	)	
Defendants.	)	
CINDY PRESS, as Special Administrator of the Estate of Ying Deng,	)	
Cross-Claimant,	)	
v.	)	
JASON CAI,	)	
Cross-Defendant.	)	

The Court held a final pretrial conference on September 18, 2014, and issued the following rulings:

The Court finds that the Estate's proposed language for Preliminary Jury Instruction No. 14 is appropriate and adopts that language. The Court will file the final Preliminary Jury Instructions shortly.

The Court finds Grace Shum's prior testimony from the criminal trial is admissible. Cross-defendant Cai shall file a proffer detailing which pages and lines of the transcript he seeks to admit

1 by noon on September 24, 2014. Cross-claimant Press shall file any response by noon on  
2 September 25, 2014.

3 The Court finds Shen Hui Di's prior testimony from the criminal trial is admissible. Cross-  
4 claimant is strongly urged, however, to make all reasonable efforts to secure Ms. Shen's live  
5 testimony via video. Cross-claimant shall file a proffer detailing which pages and lines of the  
6 transcript she seeks to admit by 4 p.m. on September 19, 2014. Cross-defendant shall file any  
7 response by 11 a.m. on September 22, 2014.

8 Cross-defendant shall file a proffer for Mr. Cai detailing his likely testimony by September  
9 19, 2014. Cross-Claimant shall file any response by 11 a.m. on September 24, 2014.

10 The parties shall file revised exhibit lists and witness lists reflecting the Court's previous  
11 orders and any parties' changes by September 19, 2014.

12 The parties shall file a status update on whether the parties have stipulated to the State Farm  
13 Custodian of Records' testimony by 3 p.m. on September 19, 2014.

14 The parties stipulated to excluding any reference to Kevin Schwarckopf's lien and  
15 restitution order against Mr. Cai.

16 The parties agreed that the action will remain captioned *State Farm v. Cai*.

17 The parties agreed to the Court's proposed voir dire, including the case summary.

18 The parties had no objections or proposed amendments to the Court's proposed list of  
19 parties, lawyers, law firms, and potential witnesses for the jurors. The Court will file the final list  
20 shortly.

21 The parties agreed that the sealed and signed coroner's report was properly authenticated  
22 and therefore admissible.

23 The parties agreed that the certified copies of the information and abstract of judgment in  
24 *People v. Cai*, CC801427 were properly authenticated and therefore admissible.

25 **IT IS SO ORDERED.**

26 Dated: September 18, 2014

*Lucy H. Koh*

LUCY H. KOH  
United States District Judge